

HOUSE BILL 207
By Turner M

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 24; Title 9, Chapter 4; Title 38, Chapter 8, Part 1; Section 55-50-324; Section 55-4-111 and Title 67, relative to police and firefighters.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-6-102(25)(F), is amended by adding the following language as a new subdivision (x):

(x) Charge for alarm service monitoring.

SECTION 2. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following language as a new subsection (g):

(g)(1) Notwithstanding the provisions of subsections (a)-(e), the state tax on each charge for alarm service monitoring shall be for state purposes only and shall be earmarked and allocated specifically and exclusively to a special fund in the state treasury for training incentives for firefighters and to the "police pay supplement fund" special agency account for police pay supplements; provided, that the department is authorized to retain a sum sufficient for collection and enforcement purposes.

(2) Forty-seven and one half percent (47.5%) of the proceeds deposited pursuant to this act shall be deposited in the special agency account known as the police

pay supplement fund created pursuant to § 9-4-204 to be dedicated to the POST commission for salary supplements for police officers, the operation of the POST commission, and the operation of the Law Enforcement Training Academy.

(3) The remainder of the proceeds shall be dedicated for those purposes established pursuant to Section 4 of this act.

SECTION 3. Tennessee Code Annotated, Title 67, Chapter 6, Part 2, is amended by adding the following language as a new section to be designated as follows:

67-6-229. Notwithstanding any other provisions of this chapter to the contrary, commencing July 1, 2003, a state tax at the rate of ten percent (10%) on each charge for alarm service monitoring is imposed.

SECTION 4. Tennessee Code Annotated, Title 9, Chapter 4, is amended by adding the following language as a new Part 10:

There is hereby created within the general fund a special agency account to be known as the training incentive fund.

(1) Except as provided in subdivision (2), the proceeds deposited in such fund pursuant to § 67-6-103(g) shall be dedicated to the fire fighting commission to be used for the training incentive for paid firefighters, grants to volunteer fire departments for completion of training and certification, and the operating budget of the fire fighting commission.

(2) Five percent (5%) of the proceeds deposited in such fund pursuant to § 67-6-103(g) shall be awarded to the Tennessee Fire and Codes Enforcement Academy through the Tennessee commission on fire fighting.

This fund shall not revert to the general fund on any June 30, but shall remain available for expenditure for its intended purposes.

SECTION 5. Tennessee Code Annotated, Section 4-24-106, is amended by adding the following language as a new subdivision:

(6) Seek and administer state and federal grants for firefighter training and equipment.

SECTION 6. Tennessee Code Annotated, Section 4-24-106(5), is amended by deleting the language "supplemental income bonus provided in part 2 of this chapter" and by substituting instead the language "training incentive provided pursuant to Part 2 of this chapter and the provisions of this act".

SECTION 7. Tennessee Code Annotated, Title 4, Chapter 24, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 4-24-112. The commission is authorized to promulgate rules and regulations in accordance with the Uniform Administrative Procedures Act, Title 4, Chapter 5, to implement the provisions of this act.

SECTION 8. Tennessee Code Annotated, Section 4-24-105, is amended by deleting the language "fifty dollars (\$50.00) per day of attendance for not more than three hundred dollars (\$300) per year per member" and by substituting instead the language "one hundred dollars (\$100) per day of attendance".

SECTION 9. Tennessee Code Annotated, Section 4-24-104(d), is amended by deleting the period at the end of the subsection and by adding the following language:

and shall serve until new appointments are made to fill the expired terms.

SECTION 10. Tennessee Code Annotated, Section 4-24-201(2), is amended by deleting the language "or subject to call for such services".

SECTION 11. Tennessee Code Annotated, Section 4-24-202(a), is amended by deleting the language "forty (40) hours" and by substituting instead the language "one hundred (100) hours".

SECTION 12. Tennessee Code Annotated, Section 4-24-202(a), is further amended by adding the following language at the end of the subsection:

In addition, such firefighters shall be required to successfully complete a minimum of sixteen (16) hours each year of terrorism training.

SECTION 13. Tennessee Code Annotated, Section 4-24-203(1), is amended by deleting the language "cash salary bonus supplement" and by substituting instead the language "training incentive".

SECTION 14. Tennessee Code Annotated, Section 4-24-202(b), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(b) Any and/or all firefighters shall be eligible for the training incentive upon satisfactory completion, as determined by the commission, of the hours of training required pursuant to subsection (a). The training incentive for full-time paid firefighters shall be up to fifteen hundred dollars (\$1,500) per year, as established by the commission based upon available funds.

SECTION 15. Tennessee Code Annotated, Title 4, Chapter 24, Part 1, is amended by adding the following language as a new, appropriately designated section:

4-24-113. (a) Annual training incentive grants in an amount not to exceed five thousand dollars (\$5,000) per grant shall be made available to volunteer fire departments for the purchase of training materials and/or equipment; such amount to be established by the commission based upon available funds.

(b) In order to obtain such grant, the volunteer fire department's firefighters must successfully complete in each year at least forty (40) hours in-service training, appropriate to such firefighter's rank and responsibility, at a school certified or established by the commission. Certification at a Fire Fighter II level is required.

(c) If only a percentage of such department's firefighters meet the requirements of subsection (b), the commission shall prorate the amount of the grant approved pursuant to subsection (a) to the percentage of the department meeting such requirements.

SECTION 16. This act shall take effect July 1, 2003, the public welfare requiring it.